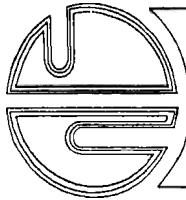


EXHIBIT LL



City of Johnson City Tennessee

601 East Main Street • P.O. Box 2150 • Johnson City, TN 37605 •

PLANNING DEPARTMENT

September 11, 2002

MEMORANDUM

TO: Michael West, City Manager

FROM: Wendy Jayne Bailey, Planner *WJB*

SUBJECT: Zoning Code Amendment: Methadone Clinic

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At your direction, we have prepared a proposed ordinance to define and regulate methadone clinics in the city of Johnson City through the Zoning Code. This proposal will not be presented to the Planning Commission for its consideration until October 8th. Please forward this ordinance to the City Commission for earlier consideration. If you need additional information, please contact us.

ORDINANCE NO. 3899

**AN ORDINANCE TO AMEND THE ZONING CODE OF THE
CITY OF JOHNSON CITY CONCERNING THE
REGULATION OF METHADONE TREATMENT CLINICS.**

WHEREAS, the regulation of methadone treatment clinics is deemed necessary for the orderly growth of the city; and

WHEREAS, methadone treatment clinics are deemed a medical service subject to appropriate location within the city; and

WHEREAS, the Board of Commissioners of the City of Johnson City desires to minimize and control any adverse effects from the location of a methadone treatment clinic and thereby protect the health, safety, and welfare of the citizenry; preserve the quality of life and; preserve the character of the surrounding neighborhoods.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF JOHNSON
CITY AS FOLLOWS:**

SECTION 1. That the Zoning Code of the City of Johnson City be and the same is hereby amended and modified as follows:

Amend Article II to include the following definition of methadone treatment clinic:

A. METHADONE TREATMENT CLINIC:

A licensed facility for the counseling of patients and the distribution of methadone for outpatient, non-residential purposes only.

Amend Article VI, Sections 6.12.1.11 and 6.13.2.7, to read as follows:

Clinics: medical, dental, chiropractic, optical, osteopathic and similar operations, but not including methadone treatment clinics and the practice of veterinary medicine;

Amend Article VI, Section 6.13, Medical Services District, to include Subsection 6.13.3.4 as follows:

Methadone Treatment Clinic provided:

- A. The facility shall be fully licensed/certified by the appropriate regulating state agency;
- B. A certificate of need shall be obtained from the appropriate state agency prior to review by the Board of Zoning Appeals;
- C. The facility shall not be located within two hundred (200) feet of a school, day-care facility, or park as measured from property line to property line;
- D. The facility shall not be located within two hundred (200) feet of any establishment that sells either on-premise or off-premise alcoholic beverages as measured from property line to property line;
- E. The hours of operation shall be between 7:00 a.m. and 8:00 p.m.; and

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F. The facility shall be located on and primary access shall be from an arterial street.

SECTION 2. BE IT FURTHER ORDAINED, that all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. BE IT FURTHER ORDAINED, that this ordinance shall become operative from and after its passage on third and final reading and publication as required by law, the public welfare requiring it.

PASSED ON FIRST READING

9/19/02

PASSED ON SECOND READING

10/3/02

PASSED ON THIRD READING

10/17/02

APPROVED AND SIGNED IN OPEN MEETING
ON THE 17th DAY OF October, 2002

Douglas Jones, Mayor

MAYOR

ATTEST:

Sherrie Johnson
City Recorder

COPY

APPROVED AS TO FORM:

James H. Evans, III
City Attorney

EXHIBIT A